

OPERATIONAL PROCEDURE FOR USE OF PHOTOGRAPHY DURING COMPLAINT/INCIDENT INVESTIGATIONS

I. PURPOSE

To provide guidance for the use of photography during the complaint/incident investigative process.

II. AUTHORITY

[RCW 74.34.067](#) - Abuse of Vulnerable Adults

III. OPERATIONAL PRINCIPLES

- Photographs do not substitute for documentation of any observation, interview or record review and are not a routine part of the inspection or investigation process.
- Photographs may be used as evidence of the physical condition of a resident and/or the physical environment of the facility. RCS staff should only use photographic evidence in those specific situations in which a photograph would be necessary supportive data.
- RCS staff are not required to have specialized training in photography prior to photographing evidence.
- Investigators should have photographic equipment readily available to use during an investigation if needed for further data collection.

IV. OPERATIONAL PROCEDURES

- RCS staff must obtain consent from the resident or his/her legal representative prior to photographing the resident unless:
 - Immediate photographing is necessary to preserve evidence; or
 - The legal representative is the alleged perpetrator.
- RCS staff must use the Photography Release Form (Attachment 1) to document permission or refusal from the resident or legal representative.
- The preservation of resident rights, privacy and dignity will be observed at all times.
- Photographs of residents or resident conditions will only be taken when absolutely necessary as supportive data to investigation of the alleged issue. For photographs of resident condition, investigators must use the macro to micro technique. Take a series of pictures to include: outside of residence to show address or location of resident, picture of resident in the environment, and then photographs of any specific markings, bruising, or resident condition.
- No consent is required for photographing the environment.
- Each Regional office must implement a system to ensure that the following information is maintained for every photograph:
 - Who took the picture;
 - What is the subject of the photograph;
 - Date and time the picture was taken;
 - The complaint investigation number (if applicable).

- Each region is responsible for developing a procedure for the processing of film.
- The Evidence of Custody Form (Attachment 2) must accompany all film sent for processing.
- Film must be processed using either the state contracted photo lab, or any photo lab that develops all film on site.
- In coordination with the Field Manager, the investigator must make sure that photographs, negatives, and/or disks are stored in a secure manner (e.g. in a location precluding access by unauthorized individuals).
- If copies of photographs taken by RCS are provided to others (e.g. AG office), document the name of the recipient and sufficient information to identify what photograph was shared.
- Record retention of photographs should be consistent with RCS guidelines for investigative working papers.

Attachments: [RCS Photography Release Form](#)
[Evidence of Custody Form](#)